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AUTHORITY: 7 U.S.C. 601–674.

### Subpart—Order Regulating Handling

SOURCE: 26 FR 704, Jan. 25, 1961, unless otherwise noted. Redesignated at 26 FR 12751, Dec. 30, 1961.

#### DEFINITIONS

### § 959.1 Secretary.

*Secretary* means the Secretary of Agriculture of the United States, or any officer or employee of the Department to whom authority has heretofore been delegated, or to whom authority may be hereafter delegated, to act in his stead.

### § 959.2 Act.

*Act* means Public Act No. 10, 73d Congress, as amended and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as

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amended (sections 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674).

### § 959.3 Person.

*Person* means an individual, partnership, corporation, association or any other business unit.

### § 959.4 Production area.

*Production area* means the counties of Val Verde, Kinney, Uvalde, Medina, Wilson, Karnes, Goliad, Victoria, Calhoun, Maverick, Zavala, Frio, Atascosa, Dimmit, La Salle, McMullen, Live Oak, Bee, Refugio, Webb, Duval, Jim Wells, San Patricio, Nueces, Zapata, Jim Hogg, Brooks, Kleberg, Kenedy, Starr, De Witt, Aransas, Hidalgo, Willacy, and Cameron, in the State of Texas.

### § 959.5 Onions.

*Onions* means all varieties of *Allium cepa* commonly known as onions grown within the production area and marketed dry.

### § 959.6 Handler.

*Handler* is synonymous with *shipper* and means any person (except a common or contract carrier of onions owned by another person) who handles onions or causes onions to be handled.

### § 959.7 Handle.

*Handle* or *ship* means to package, load, sell, transport, or in any way to place onions in the current of the commerce within the production area or between the production area and any point outside thereof. Such term shall not include the transportation, sale, or delivery of field-run onions to a person in the production area who is a registered handler.

[27 FR 227, Mar. 9, 1962, as amended at 34 FR 6440, Apr. 12, 1969]

### § 959.8 Registered handler.

*Registered handler* means any person with adequate facilities within the production area for preparing onions for commercial market, who customarily does so, and who is so recorded by the committee, or any person who has access to such facilities within the production area, and has recorded with the committee his ability and willingness

to assume customary obligations of preparing onions for commercial market.

### § 959.9 Producer.

*Producer* means any person engaged in a proprietary capacity in the production of onions for market.

### § 959.10 Grading.

*Grading* is synonymous with *preparation for market* and means the sorting or separation of onions into grades, sizes, and packs for market purposes.

### § 959.11 Grade and size.

*Grade* means any of the established grades of onions, and *size* means any of the established sizes of onions as defined and set forth in the United States Standards for Bermuda-Granex Type Onions (§§ 51.3195 to 51.3209 of this title) or any other United States Standards for onions, or amendments thereto or modifications thereof, or variations based thereon, recommended by the committee and approved by the Secretary.

### § 959.12 Pack.

*Pack* means a quantity of onions specified by grade, size, weight, or count, or by type or condition of container, or any combination of these recommended by the committee and approved by the Secretary.

[27 FR 2278, Mar. 9, 1962]

### § 959.13 Container.

*Container* means a box, bag, crate, hamper, basket, package, or any other receptacle used in the packaging, transportation, sale, shipment or other handling of onions.

### § 959.14 Varieties.

*Varieties* means and includes all classifications, subdivisions, or types of onions according to those definitive characteristics now or hereafter recognized by the United States Department of Agriculture or recommended by the committee and approved by the Secretary.